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Attorneys for Defendants
IMPAX LABORATORIES, INC., LARRY HSU, and
ARTHUR A. KOCH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DENIS MULLIGAN, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

IMPAX LABORATORIES, INC., LARRY
HSU, and ARTHUR A. KOCH

Defendants.

Case No.: 13-cv-01037-EMC

**STIPULATION AND [PROPOSED] ORDER
REGARDING CONTINUING INITIAL
CASE MANAGEMENT CONFERENCE**

Class Action

(caption continued on next page)

1 HAVERHILL RETIREMENT SYSTEM,
2 Individually and on Behalf of All Others
3 Similarly Situated,

4 Plaintiff,

5 vs.

6 IMPAX LABORATORIES, INC., LARRY
7 HSU, and ARTHUR A. KOCH

8 Defendants.

Case No.: 13-cv-01566-EMC

1 Lead Plaintiff Boilermaker Blacksmith National Pension Trust, by and through its
2 respective counsel (“Plaintiff”), and defendants Impax Laboratories, Inc., Larry Hsu, and Arthur
3 A. Koch, by and through their respective counsel, (collectively, “Defendants”), hereby stipulate
4 to the following:

5 WHEREAS, on March 7, 2013, Plaintiff Denis Mulligan, individually and on behalf of
6 all others similarly situated, filed a complaint captioned *Denis Mulligan v. Impax Laboratories,*
7 *Inc. et al.*, No. 13-cv-01037, a putative class action under the Private Securities Litigation
8 Reform Act of 1995 (the “PSLRA”) alleging securities fraud (the “*Mulligan* matter”);

9 WHEREAS, pursuant to the March 7, 2013 Case Management Conference Order, the
10 Initial Case Management Conference for the *Mulligan* matter was initially scheduled for June 6,
11 2013;

12 WHEREAS, on April 8, 2013, Plaintiff Haverhill Retirement Center, individually and on
13 behalf of all others similarly situated, filed a complaint captioned *Haverhill Retirement System v.*
14 *Impax Laboratories, Inc. et al.*, No. 13-cv-01566, also a putative class action under the PSLRA
15 alleging securities fraud (the “*Haverhill* matter”).

16 WHEREAS, pursuant to the April 8, 2013 Case Management Conference Order, the
17 Initial Case Management Conference for the *Haverhill* matter was initially scheduled for July 12,
18 2013;

19 WHEREAS, on April 19, 2013, and April 22, 2013, Plaintiffs Haverhill and Mulligan,
20 respectively, stipulated with Defendants to continue the Initial Case Management Conferences in
21 their respective matters until after the Defendants filed an answer, which would follow any
22 ruling on Defendants’ motion to dismiss (the *Mulligan* matter, Dkt. #15 ¶ 9; the *Haverhill*
23 matter, Dkt. #16 ¶ 9);

24 WHEREAS, pursuant to those stipulations, on April 25, 2013, the Court reset the
25 respective Initial Case Management Conferences for November 7, 2013 (the *Mulligan* matter,
26 Dkt. #15; the *Haverhill* matter, Dkt. #16);

27 WHEREAS, on July 2, 2013, the Court consolidated the *Mulligan* and *Haverhill* matters
28 and appointed Boilermaker Blacksmith National Pension Trust as Lead Plaintiff (Dkt. #53);

WHEREAS, on August 27, 2013, Lead Plaintiff and Defendants stipulated, and the Court ordered pursuant to such stipulation on August 28, 2013, for Defendants' motion to dismiss to be filed on or before November 14, 2013 (Dkt. #62);

WHEREAS, in order to avoid the unnecessary expenditure of the Court's and parties' resources prior to the filing of and ruling on Defendants' motion to dismiss, the parties agree to continue the Initial Case Management Conference until after Defendants' motion to dismiss has been adjudicated; and

WHEREAS, this Stipulation and Order is without prejudice to, or waiver of, any rights, arguments, or defenses otherwise available to the parties to this action.

NOW THEREFORE, the undersigned parties, by and through their counsel of record, stipulate as follows:

The Initial Case Management Conference, currently scheduled for November 7, 2013, is continued to February 20, 2014, at 1:30 p.m.

DATED: September 18, 2013

GOLD BENNETT CERA & SIDENER LLP LATHAM & WATKINS LLP

By: /s/ Solomon B. Cera
Solomon B. Cera

*Counsel for the Boilermaker Blacksmith
National Pension Trust and Liaison Counsel
for the Class*

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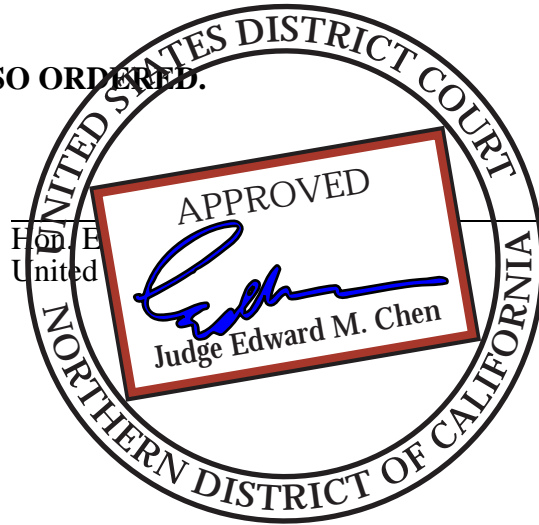
*Counsel for Defendants Impax Laboratories,
Inc., Larry Hsu, and Arthur A. Koch,*

4 *Counsel for the Boilermaker Blacksmith
5 National Pension Trust and Lead Counsel for
6 the Class*
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

9/20/13

DATED: _____



SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Stipulation and [Proposed] Scheduling and Rescheduling Initial Case Management Conference Order. Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Peter A. Wald, attest that concurrence in the filing of this document has been obtained.

DATED: September 18, 2013

/s/ Peter A. Wald
Peter A. Wald (Bar No. 85705)